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December 22, 2006

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VIA ECF Electronic Filing

Hon. Kiyo A. Matsumoto
United States Magistrate Judge
United States Courthouse
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Weiss et al. v. National Westminster Bank Plc, (05-CV-4622)*
(CPS) (KAM)
Strauss et al. v. Crédit Lyonnais, S.A., (06--CV-702) (CPS)
(KAM)

Dear Judge Matsumoto:

I write to briefly respond to Mr. Blackman's letter of December 21, 2006 addressed to your Honor. It is disheartening when opposing counsel assumes the worst intentions and deeds of plaintiff's counsel and writes to the Judge to blacken the slate before even speaking to plaintiff's counsel.

Your Honor will recall that I mentioned at the September 11 hearing that I was trying to schedule prison inmate depositions in Israel. The purpose of my December 19 letter to Mr. Friedman was to give him as much notice as I have that plaintiffs' counsel now have permission from the Israeli Prison Service to conduct a limited number of depositions of some inmates in the above cases the week of February 4. By doing so I hoped to avoid undue disruption of his schedule. When I spoke to Mr. Blackman following receipt of his letter, I explained that once I know the identities of the witnesses to testify and have documents regarding them I will be furnishing that to defense counsel. A notice of deposition will be issued at that time.

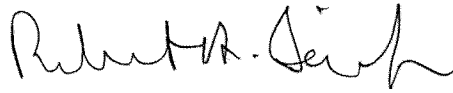
I do not choose to respond – and I assume your Honor would prefer I not respond via letter – to the discovery violation claims in Mr. Blackman's letter. Defendants' motions to compel discovery are fully briefed and pending before your Honor. Plaintiffs counsel will be happy to address them further at the conference with your Honor on January 12. I would only add that, consistent with my representations at the September 11 hearing, plaintiffs continue to produce documents to defense counsel on a voluntary basis. Yesterday and today my office sent Mr. Blackman two more CD's containing 3,176 liability documents in addition to many damage documents.

KOHN, SWIFT & GRAF, P.C.

CONTINUATION SHEET NO. 2

HON. KIYO A. MATSUMOTO
DECEMBER 22, 2006

Respectfully yours,

A handwritten signature in black ink, appearing to read "Robert A. Swift". The signature is fluid and cursive, with the first name "Robert" and last name "Swift" being clearly legible.

Robert A. Swift

RAS:pdw
Cc: All Counsel